

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

MICHAEL LYNCH, ET AL.	§	PLAINTIFFS
	§	
v.	§	Civil Action No. 1:07CV396HSO-JMR
	§	
DENHAM, BACKSTROM, ET AL.	§	DEFENDANTS

**ORDER DENYING DEFENDANTS' MOTION
TO DISMISS AS MOOT**

BEFORE THE COURT is a Motion to Dismiss Plaintiffs' Complaint for Failure to Comply with Case Management Order filed by the Defendants on September 10, 2007 [15-1]. Defendants move the Court to dismiss the above captioned cause on the grounds that Plaintiffs have not complied with the Court's Case Management Order, specifically the directive for Plaintiffs' counsel to enroll *pro hac vice*. On October 1, 2007, the Court issued an Order to Show Cause directing the Plaintiffs to show cause for their failure to respond to the Defendants' Motion or to inform the Court that they do not intend to respond. On October 2, 2007, Plaintiffs' Response to the Defendants' Motion to Dismiss was filed, wherein Plaintiffs request permission to proceed *pro se* in the above captioned cause. After review of the submissions and pleadings on file, the Court finds that the Defendants' Motion must be denied as moot.

IT IS, THEREFORE ORDERED AND ADJUDGED that, Defendants' Motion to Dismiss filed September 10, 2007 [15-1], should be and is hereby **DENIED AS MOOT.**

IT IS, FURTHER ORDERED AND ADJUDGED that, each of the Plaintiffs who wish to proceed *pro se* in the above captioned cause, must file their full name, address, phone number and any and all required information with the Clerk of Court within twenty [20] days of this Order. Failure to comply with the Court's directive may be construed as a failure to prosecute pursuant to FED. R. CIV. P. 41(b), and may result in the dismissal of this case.

IT IS, FURTHER ORDERED AND ADJUDGED that, a second telephonic case management conference is hereby set for December 13, 2007, at 10:30 a.m. before Chief United States Magistrate Judge John Roper.

SO ORDERED AND ADJUDGED, this the 19th day of October, 2007.

s/ Halil Suleyman Ozerden
HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE